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LETTER DATED 30 NOVEMBER 1993 FROM THE PERMANENT REPRESENTATIVES OF FRANCE, SPAIN AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to inform you of the text in French of the statement given by the Minister for Foreign Affairs of Belgium, Mr. Willy Claes, on behalf of the European Union, at the meeting held in Geneva, on 29 November 1993, concerning the former Yugoslavia.

We should be grateful if you could arrange for the text of the present letter and its annex to be circulated as a document of the Security Council.

(Signed)

Juan A. YAÑEZ-BARNUEVO
Permanent Representative
of Spain

(Signed)

Jean-Bernard MERIMEE
Permanent Representative
of France

(Signed)

Sir David HANNAY, KCMG
Permanent Representative
of the United Kingdom
of Great Britain and
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INTRODUCTORY STATEMENT TO THE GENEVA MEETING ON THE FORMER YUGOSLAVIA

(29 November 1993)

[Original: French]

As each day passes, Bosnia and Herzegovina sink further into a humanitarian catastrophe. Despite more than two years of efforts, there is no lasting political solution in sight to the conflicts which have torn the former Yugoslavia apart. On the contrary, there is a growing risk that the hostilities in the Croatian territories under the UNPROFOR mandate will recur.

The European Union can no longer stand by and watch these developments without reacting. We prefer to believe that there are chances for peace to which the populations aspire. We have therefore come to Geneva with a plan of action, capable of meeting the current challenges and of paving the way to a comprehensive solution. It is a matter of combining all the means and all the wishes to allow humanitarian aid to pass through without interference, to reach a territorial solution in Bosnia and Herzegovina and to find a modus vivendi for the territories in Croatia under UNPROFOR mandate. In short, conditions must be created immediately to enable, if not a complete solution, at least the bases for a comprehensive solution.

I welcome the presence of Mr. Stoltenberg, Mrs. Ogata and Generals Cot and Briquemont. Their devotion, as that of Lord Owen, deserves our praise. Their participation in our work bears witness to the support that the United Nations and its Secretary-General contribute to the action that brings us together today. Similarly, I welcome the observers, members of the Steering Committee of the Conference. Without the support of the entire international community, our efforts will be in vain. However, I would like to be clear about one matter: the final solution will depend on the parties themselves. It is their fate that matters, and it is for them to understand and to draw the necessary conclusions.

Since the end of September, negotiations between the Bosnian parties have been deadlocked. Negotiations must be resumed and must be concluded as soon as possible. The outcome of Geneva, as crystallized in HMS Invincible, continues to represent the most promising step towards peace. This is why the European Union believes that the parties must, once again, seek a settlement on bases which, in our view, should preferably maintain the Republics of Bosnia and Herzegovina where they can live together. However, it is not for us to make that final decision.

In order to give the negotiation all its chances, the parties must maintain or establish the margins necessary for manoeuvring. We will return to this subject this afternoon with each party. At this time, however, I would like to discuss the major points of our plan of action.

- As for the Serb side, we expect that it will make the necessary territorial concessions to meet, in a same order of magnitude, the demands of Bosnia as expressed the day before the meeting aboard the HMS Invincible.

- As for the Bosnian Government, we expect it to confirm that these territorial claims are of the same order of magnitude and that, from its point of view, they continue to constitute the outlines of a peace agreement.

- As for the Croatian side, we expect it to maintain the concessions it has made regarding access to the sea and port facilities and that it will display a constructive attitude in the negotiations.

Serbs and Croats must also decide on a modus vivendi in the Croatian territories under UNPROFOR mandate. By this I mean a cease-fire, the withdrawal of Croatian forces from territories occupied in January 1993, and confidence measures in accordance with Security Council resolutions. Once again, this is only an intermediary step towards a final solution, justifying the legitimate claims of Croatia to its territory and the hopes of the Serbs for wide autonomy.

All these issues shall, without delay, be finalized at the negotiating table. The negotiators themselves will proceed on the basis of our plan of action.

Should negotiations on these bases be concluded, the European Union and, I believe, the international community would not lag behind. Indeed, our plan of action provides for a series of positive measures.

- Should the Serb side conclude an agreement in Bosnia and Herzegovina, on the bases I have just outlined, should it accept a modus vivendi in zones in Croatia protected by the United Nations, and should it cooperate in good faith in implementation of both, then the European Union will act in favour of a progressive and conditional lifting of the sanctions in line with the implementation, the ultimate goal being their eventual final removal when the Security Council is convinced that the implementation is lasting.

- Once the Bosnian parties have concluded the peace agreement of which I have spoken, it is certain then that the European Union - and of this I am certain - the international community will lend all their assistance to see that it is effectively implemented, as with the reconstruction that will accompany it.

- Should the Croatian Government accept the modus vivendi, the European Union would be ready to expand its cooperation with Croatia and to increase its economic assistance. However, any recourse to military action would be certain to give rise to negative measures on the part of the international community.

We are well aware of the seriousness of the humanitarian situation at the onset of early winter which we are experiencing. Survival of the populations depends on unhindered delivery of humanitarian aid.

We view the agreement that Mrs. Ogata concluded on 18 November with the Bosnian parties as an essential acquisition, but also a starting-point. We are pleased to note that, for the time being, the agreement appears to be having an effect. We believe, however, that the parties should seize the opportunity of this meeting to ratify the agreement which they have concluded and to extend it in two respects:

- Besides the question of practical measures to be adopted to establish protected routes, the reopening of the Tuzla airport is of critical importance for the delivery of humanitarian aid. It goes without saying that the airport could not be used for other purposes. We are ready to provide a significant number of the 50 specialists required to restore it into working order.

- The European Union also expects that the parties will agree to consider, henceforth, the supply of fuels as part of humanitarian aid.

Delivery of humanitarian aid has encountered too often and continues to encounter so-called obstacles in the field. The parties claim that they do not control all the factors, armed or not, which are causing these impediments. This is why the European Union hopes that UNPROFOR commanders will be able to make use, in the most effective way, of all suitable means, including air power, to counter those uncontrolled elements, as stipulated in the relevant Security Council resolutions.

We are of the view that this clearly does not entail joining in battle with the parties present; instead, it ensures fulfilment of the commitments they have made, including those at the local level. We hold the parties directly responsible for fulfilling their commitments.

To conclude on this subject, I propose that, following this plenary session, the military leaders should meet with Mrs. Ogata and with Generals Cot and Briquemont to examine practical measures to be adopted for ensuring the delivery of humanitarian aid, with the utmost efficiency and in complete security.

Our plan of action is not limited to the most immediate problems, even though the comprehensive solution depends inevitably on their settlement. Our plan is aimed at achieving, step by step, an overall settlement of the crisis in the former Yugoslavia.

Should the parties specifically demonstrate their desire to conclude on the bases we have just outlined, a new conference should be convened on the model of the London conference to confirm the outcome, ensure its implementation, begin the reconstruction of the destroyed territories and give new momentum to resolving remaining problems. That would involve, for the most part, determining a definitive status for the Croatian territories under UNPROFOR mandate and ensuring, within the bounds of international frontiers, the rights of nationalities and ethnic minorities, particularly in Kosovo, Sandjak and Vojvodina.

At the end of this process, a final conference would endorse the overall solution to the problems of the former Yugoslavia and would signal the full integration of Serbia-Montenegro to the international community.

These are the main points of the plan of action devised by the European Union in an attempt to find lasting solutions to a conflict whose prolongation brought shame on all Europeans, just as ourselves.

Confronted with this humanitarian catastrophe, we expect that the parties, faced with their responsibilities, will return immediately to the negotiating

table here in Geneva, and that they will cooperate in good faith with the co-chairmen to find an immediate peaceful solution for Bosnia and a modus vivendi in the Croatian territories under the UNPROFOR mandate. The international community would fail to understand it if the parties did not seize the opportunity offered here to put an end to this tragedy.

The European Union is ready to put all of its political and economic weight into the balance and to help them - in so far as they truly desire it - to achieve the peaceful and cooperative solutions that the populations have too long been denied.